



179 WESTBURY AVENUE, CARLE PLACE, NEW YORK 11514

Application granted. The time for the parties to each file a letter as to why this case should not be remanded for lack of subject matter jurisdiction shall be extended to June 20, 2023.

SO ORDERED.

A handwritten signature in black ink, appearing to read 'PHM'.

Philip M. Halpern
United States District Judge

Dated: White Plains, New York
June 5, 2023

Hon. Philip M. Halpern
United States District Court
300 Quarropas Street
White Plains, NY 10601

VIA ECF

Re: *Town of Poughkeepsie v. South Road Hospitality LLC d/b/a Red Roof Plus, et al.*
Docket No. 23-cv-04214 (PML)

Dear Judge Halpern:

We represent Plaintiff, Town of Poughkeepsie, and write jointly for us and for counsel for Defendants concerning this removed action for an emergency request to adjourn the submission date set forth in Your Honor's June 1, 2023 Order from June 6, 2023 until June 20, 2023.

The Town, upon removal of this action to this Court, has just retained us to represent it in this litigation. Moments ago, I filed our notice of appearance even before receiving a signed retainer agreement. We have not had any chance to review the papers in detail.

The Court's docket sheet contains an order from two days ago requiring all parties to file a letter "as to why the Court should not remand this action for lack of subject matter jurisdiction." [DE-10]. Such an important question deserves a quality response, and the request I seek will enable us to fully brief the question put to counsel by the Court.

I have conferred with Perry M. Amsellem, counsel for Defendants, about this request. He has advised me not just that he consents to this request but he also joins in this application, for the reasons I mention above: to enable counsel to fully and carefully brief the issue asked by the Court. We agreed that the extension requested – from June 6, 2023 to June 20, 2023 – will enable the parties to do that.

Because I am just coming into this matter, I could not have made this application any sooner, and I ask the Court to grant this request on an emergency basis. Neither side will suffer

SOKOLOFF STERN LLP

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June 4, 2023
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prejudice from this emergency request, and where the request is made jointly on consent in good faith, we respectfully ask the Court to grant this request for good cause

Thank you for your consideration of this matter.

Very truly yours,

SOKOLOFF STERN LLP



Brian S. Sokoloff

BSS/--
cc: All counsel

BY ECF